

1 THE HONORABLE RICHARD A. JONES
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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 UNITED STATES OF AMERICA,) NO. CR19-149RAJ
9 Plaintiff,)
10 vs.) ORDER GRANTING UNOPPOSED
11 JOEY A. MAILLET,) MOTION TO CONTINUE TRIAL DATE
12 Defendant.) AND PRETRIAL MOTIONS DEADLINE
13

14 THIS MATTER having come before the Court on defendant's unopposed
15 motion for a continuance of the trial and the pretrial motions due date, and the Court
16 having considered the facts set forth in the motion and the speedy trial waiver
17 executed by defendant, the Court finds that:

18 (a) taking into account the exercise of due diligence, a failure to grant a
19 continuance would deny counsel for the defendant the reasonable time necessary for
20 effective preparation, due to counsel's need for more time to review the evidence,
21 consider possible defenses, and gather evidence material to the defense, as set forth in
22 18 U.S.C. § 3161(h)(7)(B)(iv); and

23 (b) a failure to grant a continuance would likely result in a miscarriage of
24 justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and
25

26 ORDER GRANTING UNOPPOSED
MOTION TO CONTINUE TRIAL DATE
AND PRETRIAL MOTIONS DEADLINE
(*Joey A. Maillet; CR19-149RAJ*) - 1

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(c) the additional time requested is a reasonable period of delay, as the defendant has requested more time to prepare for trial, to investigate the matter, to gather evidence material to the defense, and to consider possible defenses; and

(d) the ends of justice will best be served by a continuance, and the ends of justice outweigh the best interests of the public and the defendant in any speedier trial, as set forth in 18 U.S.C. § 3161(h)(7)(A); and

(e) the additional time requested between the current trial date of October 15, 2019, and the new trial date is necessary to provide counsel for the defendant reasonable time to prepare for trial considering all of the facts set forth above.

IT IS THEREFORE ORDERED that Defendant's Unopposed Motion to Continue Trial Date and Pretrial Motions Deadline (Dkt. #16) is GRANTED. The trial date shall be continued from October 15, 2019 to February 24, 2020. All pretrial motions, including motions in limine, shall be filed no later than January 16, 2020.

IT IS FURTHER ORDERED that the resulting period of delay from the date of this order to the new trial date of February 24, 2020, is hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv).

DATED this 6th day of September, 2019.

Richard D. Jones

The Honorable Richard A. Jones
United States District Judge